

1-1 By: Nelson S.B. No. 430
1-2 (In the Senate - Filed February 7, 2013; February 13, 2013,
1-3 read first time and referred to Committee on Health and Human
1-4 Services; March 13, 2013, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 6, Nays 0;
1-6 March 13, 2013, sent to printer.)

1-7 COMMITTEE VOTE

1-8	Yea	Nay	Absent	PNV
1-9	Nelson	X		
1-10	Deuell	X		
1-11	Huffman		X	
1-12	Nichols	X		
1-13	Schwertner	X		
1-14	Taylor		X	
1-15	Uresti	X		
1-16	West		X	
1-17	Zaffirini	X		

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 430 By: Nelson

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to verification of the unavailability of community day
1-22 care before the Department of Family and Protective Services
1-23 provides day-care assistance or services.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Subchapter B, Chapter 264, Family Code, is
1-26 amended by adding Section 264.124 to read as follows:

1-27 Sec. 264.124. DAY CARE FOR FOSTER CHILD. (a) In this
1-28 section, "day care" means the assessment, care, training,
1-29 education, custody, treatment, or supervision of a foster child by
1-30 a person other than the child's foster parent for less than 24 hours
1-31 a day, but at least two hours a day, three or more days a week.

1-32 (b) The department, in accordance with executive
1-33 commissioner rule, shall implement a process to verify that each
1-34 foster parent who is seeking monetary assistance from the
1-35 department for day care for a foster child has attempted to find
1-36 appropriate day-care services for the foster child through
1-37 community services, including Head Start programs, prekindergarten
1-38 classes, and early education programs offered in public schools.
1-39 The department shall specify the documentation the foster parent
1-40 must provide to the department to demonstrate compliance with the
1-41 requirements established under this subsection.

1-42 (c) Except as provided by Subsection (d), the department may
1-43 not provide monetary assistance to a foster parent for day care for
1-44 a foster child unless the department receives the verification
1-45 required under Subsection (b).

1-46 (d) The department may provide monetary assistance to a
1-47 foster parent for a foster child without the verification required
1-48 under Subsection (b) if the department determines the verification
1-49 would prevent an emergency placement that is in the child's best
1-50 interest.

1-51 SECTION 2. Section 264.755, Family Code, is amended by
1-52 adding Subsections (d) and (e) to read as follows:

1-53 (d) The department, in accordance with executive
1-54 commissioner rule, shall implement a process to verify that each
1-55 relative and designated caregiver who is seeking monetary
1-56 assistance or additional support services from the department for
1-57 day care as defined by Section 264.124 for a child under this
1-58 section has attempted to find appropriate day-care services for the
1-59 child through community services, including Head Start programs,
1-60 prekindergarten classes, and early education programs offered in

2-1 public schools. The department shall specify the documentation the
2-2 relative or designated caregiver must provide to the department to
2-3 demonstrate compliance with the requirements established under
2-4 this subsection. The department may not provide monetary
2-5 assistance or additional support services to the relative or
2-6 designated caregiver for the day care unless the department
2-7 receives the required verification.

2-8 (e) The department may provide monetary assistance or
2-9 additional support services to a relative or designated caregiver
2-10 for day care without the verification required under Subsection (d)
2-11 if the department determines the verification would prevent an
2-12 emergency placement that is in the child's best interest.

2-13 SECTION 3. This Act takes effect September 1, 2013.

2-14

* * * * *